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Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CALIFORNIA TRIBAL FAMILIES COALITION,
et al.,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity as
Secretary of Health and Human Services, et al.,

Defendants.

Case No. 3:20-cv-6018-MMC

**JOINT STIPULATED REQUEST AND
[PROPOSED] ORDER TO ENLARGE
BRIEFING SCHEDULE**

Pursuant to this Court's Standing Order (ECF No. 38-1) and Local Civil Rules 6-2 and 7-12, the Parties hereby stipulate to and respectfully request entry of a Court order enlarging the time for summary judgment briefing consistent with the following schedule:

- Plaintiffs' motion for summary judgment is due May 17, 2021.
- Defendants' combined opposition to Plaintiffs' motion and cross-motion for summary judgment is due June 16, 2021.
- Plaintiffs' combined reply in support of their motion and opposition to Defendants' cross-motion is due July 1, 2021.
- Defendants' reply in support of their motion is due July 15, 2021.

This is the fifth time modification request by the Parties. The Parties previously requested (1) an enlargement of Defendants' deadline to file an answer and a certified copy of the Administrative Record, (2) an enlargement of the summary judgment briefing schedule due to the obligations of Plaintiffs' Counsel in other matters, including five substantive filings and a hearing on a motion to dismiss that was scheduled in the second half of January, (3) an enlargement of the summary judgment briefing schedule so that Defendants could reevaluate the rule at issue in this case, and (4) an enlargement of the summary judgment schedule so that the Parties could discuss potential resolutions to the case.

The Parties seek the present enlargement because they are continuing to discuss the possibility of resolving the case without summary judgment briefing. It would present the most efficient use of the Parties' and the Court's resources if the Parties complete these discussions before commencing briefing.

The only effect on this Court's schedule will be to extend the conclusion of summary judgment briefing by 30 days. Accordingly, the Parties respectfully request that the Court enter the proposed stipulated schedule.

IT IS SO STIPULATED.

Dated: April 8, 2021

Respectfully submitted,

By: /s/ Jeffrey B. Dubner
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1
2 Dated: April 8, 2021

Respectfully submitted,

3 DAVID L. ANDERSON

4 United States Attorney

5 /s/ Emmet P. Ong

6 EMMET P. ONG

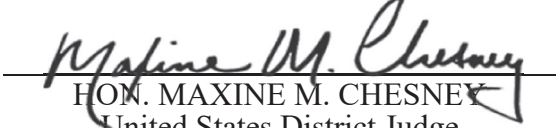
7 Assistant United States Attorney

8 *Counsel for Defendants*

~~PROPOSED~~ ORDER

Pursuant to stipulation of the parties, IT IS SO ORDERED.

DATED: April 8, 2021


HON. MAXINE M. CHESNEY
United States District Judge